

act June 24, 1948, set out as a note under section 906 of this title.

CROSS REFERENCES

Certain approved settlements to be paid in installments, see section 908 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 928 of this title; title 42 section 1702.

§ 915. Invalid agreements

(a) No agreement by an employee to pay any portion of premium paid by his employer to a carrier or to contribute to a benefit fund or department maintained by such employer for the purpose of providing compensation or medical services and supplies as required by this chapter shall be valid, and any employer who makes a deduction for such purpose from the pay of any employee entitled to the benefits of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$1,000.

(b) No agreement by an employee to waive his right to compensation under this chapter shall be valid.

(Mar. 4, 1927, ch. 509, § 15, 44 Stat. 1434.)

CROSS REFERENCES

Settlement of claim, where deputy commissioner determines it is for the best interest of injured employee, notwithstanding provision of subsec. (b) of this section, see section 908 of this title.

§ 916. Assignment and exemption from claims of creditors

No assignment, release, or commutation of compensation or benefits due or payable under this chapter, except as provided by this chapter, shall be valid, and such compensation and benefits shall be exempt from all claims of creditors and from levy, execution, and attachment or other remedy for recovery or collection of a debt, which exemption may not be waived.

(Mar. 4, 1927, ch. 509, § 16, 44 Stat. 1434.)

FEDERAL RULES OF CIVIL PROCEDURE

Execution, see rule 69, Title 28, Appendix, Judiciary and Judicial Procedure.

Continuation of section, see also note by Advisory Committee under that rule.

CROSS REFERENCES

Settlement of claim, where deputy commissioner determines it is for best interest of injured employee, notwithstanding provisions of this section, see section 908 of this title.

§ 917. Lien against compensation

Where a trust fund which complies with section 186(c) of title 29 established pursuant to a collective-bargaining agreement in effect between an employer and an employee covered under this chapter has paid disability benefits to an employee which the employee is legally obligated to repay by reason of his entitlement to compensation under this chapter or under a settlement, the Secretary shall authorize a lien on such compensation in favor of the trust fund for the amount of such payments.

(Mar. 4, 1927, ch. 509, § 17, 44 Stat. 1434; June 25, 1938, ch. 685, § 8, 52 Stat. 1167; Pub. L. 92-576, § 20(b), Oct. 27, 1972, 86 Stat. 1264; Pub. L. 95-598, title III, § 324, Nov. 6, 1978, 92 Stat. 2679; Pub. L. 98-426, § 14, Sept. 28, 1984, 98 Stat. 1649.)

AMENDMENTS

1984—Pub. L. 98-426 struck out “(b)” before “Where a trust fund which complies”, substituted “covered under this chapter” for “entitled to compensation under this chapter”, and substituted “this chapter or under a settlement, the Secretary shall authorize” for “this chapter, the Secretary may authorize”.

1978—Subsec. (a). Pub. L. 95-598 repealed provision for lien of person entitled to compensation without limit of amount against assets of carrier or employer and for preference and priority in distribution of assets of such carrier or employer, or both upon insolvency, bankruptcy, or reorganization in bankruptcy proceedings of the carrier or employer, or both.

1972—Pub. L. 92-576 designated existing provisions as subsec. (a) and added subsec. (b).

1938—Act June 25, 1938, amended section generally. Prior to amendment, section read as follows: “Compensation shall have the same preference of lien against the assets of the carrier or employer without limit of amount as is now or may hereafter be allowed by law to the claimant for unpaid wages or otherwise”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-426 effective Sept. 28, 1984, and applicable both with respect to claims filed after such date and to claims pending on such date, see section 28(a) of Pub. L. 98-426, set out as a note under section 901 of this title.

EFFECTIVE DATE OF 1978 AMENDMENT

Amendment by Pub. L. 95-598 effective Oct. 1, 1979, see section 402(a) of Pub. L. 95-598, set out as an Effective Date note preceding section 101 of Title 11, Bankruptcy.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-576 effective 30 days after Oct. 27, 1972, see section 22 of Pub. L. 92-576, set out as a note under section 902 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 933 of this title.

§ 918. Collection of defaulted payments; special fund

(a) In case of default by the employer in the payment of compensation due under any award of compensation for a period of thirty days after the compensation is due and payable, the person to whom such compensation is payable may, within one year after such default, make application to the deputy commissioner making the compensation order or¹ a supplementary order declaring the amount of the default. After investigation, notice, and hearing, as provided in section 919 of this title, the deputy commissioner shall make a supplementary order, declaring the amount of the default, which shall be filed in the same manner as the compensation order. In case the payment in default is an installment of the award, the deputy commissioner may, in his discretion, declare the whole of the award as the amount in default. The applicant may file a certified copy of such supplementary order with the clerk of the Federal district court for the judi-

¹ So in original. Probably should be “for”.